
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

PATRICK A. JONES,

Plaintiff,

*versus*LIEUTENANT HAYES, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:10-CV-599

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Patrick Jones, an inmate confined at the United States Penitentiary in Pine Knot, Kentucky, proceeding *pro se*, filed this civil rights lawsuit. The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

Plaintiff has filed a motion requesting a temporary restraining order. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be denied.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections asserted by plaintiff. After careful consideration, the court is of the opinion that the objections are without merit. Plaintiff asks this court to order officials at his current unit of incarceration to allow him to send and receive mail, as well as use the law library, without consenting to stipulations required by prison officials and giving up certain rights. However, this court lacks *in personam* jurisdiction over

prison officials in Kentucky. *See Parker v. Ryan*, 960 F.2d 543, 546 (5th Cir. 1992). This lack of *in personam* jurisdiction precludes the entry of a temporary restraining order against the officials. *Enterprise International v. Corporacion Estatal Petrolera Ecuatoriana*, 762 F.2d 464, 470 (5th Cir. 1985).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Plaintiff's motion for temporary restraining order is **DENIED**.

SIGNED at Beaumont, Texas, this 13th day of September, 2011.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE